

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: September 5, 2019

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Brooks Clayville

Betty Smith

Rick Wells

Jerry Barbierri

Staff

Maureen Howarth, County Attorney

Ed Tudor, Director

Phyllis Wimbrow, Deputy Director

Jennifer Keener, Zoning Administrator

Jessica Edwards, Customer Service Representative

Bob Mitchell, Director, Environmental Programs

David Bradford, Deputy Director, Env. Programs

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, August 1, 2019 — As the first item of business, the Planning Commission reviewed the minutes of the August 1, 2019 meeting. Following the discussion it was moved by Ms. Ott, seconded by Mr. Knerr and carried unanimously to approve the minutes as submitted. Mr. Wells and Mr. Barbierri abstained.

B. Board of Zoning Appeals agenda, September 12, 2019 — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for September 12, 2019. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. Presentation by The Nature Conservancy

As the next item of business, Joe Fehrer and Mike Dryden with The Nature Conservancy provided the Planning Commission with an update on existing and future restoration projects on the Lower Eastern Shore. Mr. Fehrer also informed the Planning Commission about the newly formed Lower Eastern Shore Climate Action Network (LESCAN), outlining its goals and visions. The goal is to bring nearly \$2.5 million to the Lower Eastern Shore for work on coastal adaptation projects.

IV. §ZS 1-325 Site Plan Review – Ocean Pines Golf Club – Loading Space Waiver

As the next item of business, the Planning Commission reviewed a request to waive the loading space requirement for the Ocean Pines Golf Club. This project is a minor site plan currently scheduled for review with the Technical Review Committee on Wednesday, September 11, 2019. The project consists of a 9,479 square foot clubhouse with restaurant, outdoor seating, pro

shop and meeting room, located at the southerly terminus of Clubhouse Drive, Tax Map 16, Parcel 56, Tax District 3, R-2 Suburban Residential District. No representatives for the project were present for the review. Mrs. Keener outlined the request on behalf of the applicant.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Mr. Knerr, and carried unanimously to deny the request for a loading space waiver.

V. §ZS 1-325 Site Plan Review – Manklin Station Revised PCD

As the next item of business, the Planning Commission reviewed a site plan associated with the proposed construction of Buildings D and E, each consisting of 6,000 square feet of mixed retail/office space within the Manklin Greens PUD and PCD, located on the southerly side of Manklin Creek Road, east of Ocean Parkway, Tax Map 21, Parcel 306, Lot 2, Tax District 3, C-2 General Commercial District. Steve Engel and Chris Ferger with Vista Design, Inc. were present for the review. They explained that the project would consist of one real estate office building and another cabinet/flooring sales building. There was discussion regarding the loading space waiver request, the ways in which they have designed the project to alleviate stormwater management issues on the site, and how the building design is consistent with the existing overall development.

Following the discussion, a motion was made by Mr. Knerr, seconded by Ms. Smith, and carried unanimously to approve the site plan subject to addressing the code requirements and the following items:

1. The Planning Commission found the building elevations to be consistent with the existing overall development.
2. The Planning Commission granted a waiver to the requirement for loading spaces by no more than 50% (two spaces).

VI. Preliminary Plat – Sea Oaks Village RPC

As the next item of business, the Planning Commission reviewed a preliminary plat associated with a proposed 60 lot subdivision consisting of 59 townhouse lots and 1 commercial lot, on the West side of Stephen Decatur Highway (MD Route 611) North of Sinepuxent Road, Tax Map 26, Parcel 274, Lot 3A, Tax District 10, R-3 Multi-family Residential District and C-1 Neighborhood Commercial District (RPC Overlay Zone). Hugh Cropper, IV, Esquire, Bob Hand, land planner, Frank Lynch, Jr., surveyor, Chris McCabe, environmental consultant, and Steve Murphy, owner, were present for the review.

Mr. Cropper stated that they were requesting for Step III preliminary plat approval. He stated that he has a copy of the proposed deed restrictions and will forward a copy to the staff for review. He is asking for consideration of the dead end streets and culs-de-sac that are part of the proposed project. Upon a question from the Planning Commission, Mr. Cropper noted that the EDUs have been allocated to the property, the owner just needs to purchase them prior to

permitting. Mr. Hand stated that he has verbal approval from County Roads regarding the commercial entrances, and will obtain that approval in writing.

Following the discussion, a motion was made by Ms. Ott, seconded by Mr. Barbierri, and carried unanimously to approve the preliminary plat with the use of dead end/cul-de-sac streets, subject to addressing the code requirements letter.

VII. Text Amendment - §ZS 1-318 – Campground Subdivision Occupancy

As the next item of business, the Planning Commission reviewed a revised text amendment request associated with the occupancy regulations for campground subdivisions only. Mr. Hugh Cropper, IV, Esquire and Ms. Susan Naplachowski, applicant, were present for the review. Mr. Cropper made a point to say that he viewed this meeting as a continuation of the prior meeting. As a point of order, he noted that this is not a public hearing and the Planning Commission gave the public a chance to speak at the last meeting. He noted that he is prepared for the Planning Commission to take a vote and make a recommendation on this request. Mr. Cropper stated that the amendment has been modified so that it is essentially a phase-out of full time occupants that were present as of June 2018, which they believe to be approximately 54 units. The amendment will allow them to finish out their stay, and once resolved, there would be no further year round occupancy within White Horse Park.

Upon a request from the Planning Commission, Mr. Tudor noted that staff didn't have anything new to add beyond the comments provided in the staff report. He reiterated that a text amendment was inappropriate, and should be handled as a consent agreement with the County Commissioners. Mr. Diffendal asked Mr. Tudor should the amendment or some form of it were to be approved, did the County have the ability to apply additional standards to the campground such as the EDU or roads requirements? Mr. Tudor stated that this amendment doesn't wipe the slate clean. All items in the July 2019 staff report would still apply. Mr. Cropper asked for a show of hands from the audience regarding those in favor versus those in opposition. Overwhelmingly the audience was in favor, with a few persons present who were in opposition. Mr. Diffendal asked if Mr. Cropper saw the email from the White Horse Park Board of Directors, and he confirmed that he had.

Mrs. Wimbrow asked the audience to raise their hands for those who are in favor of the amendment, how many are property owners in White Horse Park? A significant number of persons were property owners.


Mr. Knerr asked Mr. Cropper about the potential additional costs for the purchase of EDUs, and if the White Horse Park residents were willing to accept that cost. Mr. Cropper said that they are asking for 54 units to stay until tenancy ends. He would want to have discussions with Environmental Programs staff on that matter. Mr. Knerr stated that he hates to see anyone displaced from their home, but given the language as drafted, he finds that it is not enforceable, and is therefore not in support of the amendment.

Following the discussion, a motion was made by Mr. Knerr, seconded by Mr. Barbierri, and carried unanimously to forward an unfavorable recommendation to the Worcester County Commissioners. Mr. Diffendal echoed staff's recommendation that a consent order would be more appropriate.

VIII. Adjourn – The Planning Commission adjourned at 1:38 P.M.



Jerry Barbierri, Secretary



Jennifer K. Keener, AICP